UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,919	02/21/2006	Ziaoling Shao	CN 020016	6591

24737 7590 06/10/2009
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER	
LAI, MICHAEL C	
ART UNIT	PAPER NUMBER
2457	
MAIL DATE	DELIVERY MODE
06/10/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/536,919	SHAO ET AL.	
	Examiner	Art Unit	
	MICHAEL C. LAI	2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 March 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to communications filed on 3/23/2009.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6, 13-15, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Vaananen (US 7,218,919 B2, hereinafter Vaananen).

Regarding claim 1, Vaananen discloses a wireless network system that enables direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent to a second MMS user agent, the system comprising:

means for receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent [col. 2, lines 14-25, the lookup server and the telephone number of the recipient];

means for obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or other information"; col. 4, lines 36-40, "The telephone number of the recipient is converted to an IP-address in one preferable embodiment"]; and

means for forwarding the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address [col. 2, lines 14-25, MMS delivery service; col. 4, lines 60-61, "In phase 140 the data file is transmitted to the recipient via telephony network or the Internet"].

Regarding claim 2, Vaananen further teaches the system of claim 1, wherein the obtaining means includes:

means for sending the ID number to a core network [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or other information. Likewise, the telephone number may be found on the basis of the IP-address or other information related to the recipient by **querying** the lookup server"]; and

means for obtaining the Internet address of the second MMS user agent from the core network [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient,

name or other information"; col. 4, lines 36-40, "The telephone number of the recipient is converted to an IP-address in one preferable embodiment"].

Regarding claim 3, Vaananen further teaches the system of claim 1, wherein the identification number is a mobile station international ISDN number (MSISDN) [col. 4, lines 53-59, ISDN number].

Regarding claim 6, Vaananen further teaches the system of claim 1, wherein the wireless network system is implemented in an Internet Protocol (IP) based network [col. 2, lines 14-25, TCP/IP].

Claims 13-15 are of the same scope as claims 1-3 respectively. They are rejected for the same reasons as for claims 1-3 respectively.

Claim 18 is of the same scope as claim 6. It is rejected for the same reasons as for claim 6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4-5 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaananen as applied to claim 1, and in view of Caloud (US 6,885,871 B2, hereinafter Caloud).

Regarding claim 4, Vaananen discloses the claimed invention except for the international mobile subscriber identity (IMSI) address. Caloud teaches the means for sending the MSISDN to a core network [col. 4, lines 38-52, program memory 103 and interface circuits 104], means for obtaining an international mobile subscriber identity (IMSI) address corresponding to the MSISDN from the core network [FIG. 1, the resolution table 127, col. 6, lines 3-20, column 127B corresponds to an IMSI number and/or an MSISDN], means for sending the obtained IMSI address to the core network [col. 4, lines 38-52, program memory 103 and interface circuits 104], and means for obtaining the Internet address corresponding to the IMSI from the core network [FIG. 1, the resolution table 127, col. 6, lines 3-20]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Caloud's teaching into Vaananen's system for the purpose of serving MMS User Agents across international MMSEs by interworking between international MMS service providers using IMSI, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Regarding claim 5, Vaananen discloses the claimed invention except for the HLR. However, Caloud further teaches: the MSISDN is sent to a home location register (HLR) in the core network [col. 5, lines 39-54, the resolution server 119 is connected to the HLR of the GSM network through SS7/TCAP/MAP, this enables the interface between the SIP-NAT server and the HLR. Note that the HLR contains mobile information including MSISDN/IMSI is well known in the art.]; the IMSI address is obtained from the HLR [col. 5, lines 39-45, the resolution server 119 is connected to the

HLR of the GSM network, and col. 3, lines 32-45, the MSISDN/IMSI information are updated by the SIP-NAT server via interface with the HLR.]; the obtained IMSI is sent to a user database in the core network [col. 3, lines 41-45, updates the resolution table]; and the Internet address is obtained from the user database [col. 6, lines 3-5, a table could be considered as a preliminary database.]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Caloud's teaching into Vaananen's system for the purpose of serving MMS User Agents across international MMSEs by interworking between international MMS service providers using IMSI and the HLR, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Claims 16-17 are of the same scope as claims 4-5 respectively. They are rejected for the same reasons as for claims 4-5 respectively.

5. Claims 7-9, 12, 19-21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaananen, and in view of 3GPP TS 23.140 v4.4.0 (2001-09) (3rd Generation Partnership Project; Technical Specification Group Terminals; Multimedia Messaging Service (MMS); Functional description; Stage 2 (Release 4), hereinafter 3GPP MMS).

Regarding claim 7, Vaananen discloses a wireless network system for enabling direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent located in a first multimedia messaging service environment (MMSE) to a second MMS user agent located in a second MMSE, the system comprising:

a first MMS server located in the first MMSE [col. 2, lines 14-36, the central lookup server or central server]; and

a second MMS server located in the second MMSE [col. 2, lines 14-36, the central lookup server or central server];

wherein the first MMS server includes:

means for receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent [col. 2, lines 14-25, the lookup server and the telephone number of the recipient], and

wherein the second MMS server includes:

means for obtaining an Internet address of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or other information"; col. 4, lines 36-40, "The telephone number of the recipient is converted to an IP-address in one preferable embodiment"];

wherein the first MMS server forwards the obtained Internet address received from the second MMS server to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address [col. 2, lines 14-25, MMS delivery

service; col. 4, lines 60-61, "In phase 140 the data file is transmitted to the recipient via telephony network or the Internet"].

Vaananen discloses the claimed invention except for the first MMSE is different from the second MMSE, and the communications between the two MMS servers. However, 3GPP MMS discloses interworking between different MMSEs including communications between MMS servers based on SMTP [see clauses 7.7, 8.4, and Figure 5.]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate 3GPP MMS' teaching into Vaananen's system for the purpose of serving MMS User Agents across different MMSEs by interworking between different MMS service providers, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Regarding claim 8, Vaananen further teaches the system of claim 7, wherein the obtaining means of the second MMS server includes:

means for sending the ID number to a core network of a wireless network system [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient, name or other information. Likewise, the telephone number may be found on the basis of the IP-address or other information related to the recipient by **querying** the lookup server"], and

means for obtaining the Internet address of the second MMS user agent from the core network [col. 2, lines 14-25, "The IP-address of the recipient may be found from a central lookup server on the basis of the telephone number of the recipient,

name or other information"; col. 4, lines 36-40, "The telephone number of the recipient is converted to an IP-address in one preferable embodiment"].

Regarding claim 9, Vaananen further teaches the system of claim 7, wherein the identification number is a mobile station international ISDN number (MSISDN) [col. 4, lines 53-59, ISDN number].

Regarding claim 12, Vaananen further teaches the system of claim 7, wherein the wireless network system is implemented in an Internet Protocol (IP) based network [col. 2, lines 14-25, TCP/IP].

Claims 19-21 are of the same scope as claims 7-9 respectively. They are rejected for the same reasons as for claims 7-9 respectively.

Claim 24 is of the same scope as claim 12. It is rejected for the same reasons as for claim 12.

6. Claims 10-11 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaananen and 3GPP MMS as applied to claim 7, and further in view of Caloud (US 6,885,871 B2, hereinafter Caloud).

Regarding claim 10, Vaananen and 3GPP MMS disclose the claimed invention except for the international mobile subscriber identity (IMSI) address. Caloud teaches the means for sending the MSISDN to a core network [col. 4, lines 38-52, program memory 103 and interface circuits 104], means for obtaining an international mobile subscriber identity (IMSI) address corresponding to the MSISDN from the core network [FIG. 1, the resolution table 127, col. 6, lines 3-20, column 127B corresponds to an IMSI

number and/or an MSISDN], means for sending the obtained IMSI address to the core network [col. 4, lines 38-52, program memory 103 and interface circuits 104], and means for obtaining the Internet address corresponding to the IMSI from the core network [FIG. 1, the resolution table 127, col. 6, lines 3-20]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Caloud's teaching into Vaananen's and 3GPP MMS' system for the purpose of serving MMS User Agents across international MMSEs by interworking between international MMS service providers using IMSI, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Regarding claim 11, Vaananen and 3GPP MMS disclose the claimed invention except for the HLR. However, Caloud further teaches: the MSISDN is sent to a home location register (HLR) in the core network [col. 5, lines 39-54, the resolution server 119 is connected to the HLR of the GSM network through SS7/TCAP/MAP, this enables the interface between the SIP-NAT server and the HLR. Note that the HLR contains mobile information including MSISDN/IMSI is well known in the art.]; the IMSI address is obtained from the HLR [col. 5, lines 39-45, the resolution server 119 is connected to the HLR of the GSM network, and col. 3, lines 32-45, the MSISDN/IMSI information are updated by the SIP-NAT server via interface with the HLR.]; the obtained IMSI is sent to a user database in the core network [col. 3, lines 41-45, updates the resolution table]; and the Internet address is obtained from the user database [col. 6, lines 3-5, a table could be considered as a preliminary database.]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate

Caloud's teaching into Vaananen's and 3GPP MMS' system for the purpose of serving MMS User Agents across international MMSEs by interworking between international MMS service providers using IMSI and the HLR, thereby increasing satisfaction/convenience for MMS users and revenues for MMS service providers.

Claims 22-23 are of the same scope as claims 10-11 respectively. They are rejected for the same reasons as for claims 10-11 respectively.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Lars Novak and Magnus Svensson, "MMS--Building on the Successes of SMS", Ericsson, 2001.

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure

relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
01JUN2009

/YVES DALENCOURT/
Primary Examiner, Art Unit 2457